

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
February 1, 2000**

CASE NO: TA-2000-389

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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of NewSouth)	
Communications Corp. for a Certificate of)	
Service Authority to Provide Resold)	Case No. TA-2000-389
Interexchange Telecommunications Services in)	Tariff No. 200000593
the State of Missouri and to Classify Said)	
Services and the Company as Competitive.)	

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE
AUTHORITY AND ORDER APPROVING TARIFF

NewSouth Communications Corp. (NewSouth) applied to the Public Service Commission on December 28, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. NewSouth asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by Sections 392.361 and 392.420. NewSouth is a Delaware corporation, with its principal office located at 130 Industrial Drive, Greenville, South Carolina 29607.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on January 4, 2000, directing parties wishing to intervene to file their requests by January 19, 2000. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. State ex rel.

¹ All statutory references are to the Revised States of Missouri 1994 unless otherwise indicated.

Rex Deffenderfer Enterprises, Inc. v. Public Service Commission,
776 S.W.2d 494, 496 (Mo. App. 1989). Since no one has asked
permission to intervene or requested a hearing, the Commission may
grant the relief requested based on the verified application.

NewSouth filed a proposed tariff in conjunction with its
application and filed substitute sheets on January 14 and 19, 2000.
The tariff's effective date is February 17, 2000. NewSouth's tariff
describes the rates, rules, and regulations it intends to use,
identifies NewSouth as a competitive company, and lists the waivers
requested. NewSouth intends to provide interexchange telecommunica-
tions services including 1+, 800/888/877 services, directory
assistance, and travel card services.

In its Memorandum filed on January 27, 2000, the Staff of the
Commission (Staff) recommended that the Commission grant NewSouth a
certificate of service authority, competitive status, and waiver of
the statutes and rules listed in the Notice. Staff recommended that
the Commission approve the proposed tariff as amended to become
effective on February 17, 2000.

The Commission finds that competition in the intrastate
interexchange telecommunications market is in the public interest and
NewSouth should be granted a certificate of service authority. The
Commission finds that the services NewSouth proposes to offer are
competitive and NewSouth should be classified as a competitive
company. The Commission finds that waiving the statutes and
Commission rules set out in the ordered paragraph below is reasonable
and not detrimental to the public interest.

The Commission finds that NewSouth's proposed tariff details the services, equipment, and pricing it proposes to offer and is similar to tariffs approved for other Missouri certificated interexchange carriers. The Commission finds that the proposed tariff filed on December 28, 1999, shall be approved as amended to become effective on February 17, 2000.

IT IS THEREFORE ORDERED:

1. That NewSouth Communications Corp. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. That NewSouth Communications Corp. is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

392.240(1) - ratemaking
392.270 - valuation of property (ratemaking)
392.280 - depreciation accounts
392.290 - issuance of securities
392.310 - stock and debt issuance
392.320 - stock dividend payment
392.340 - reorganization(s)
392.330, RSMo Supp. 1998 - issuance of securities,
debts and notes

Commission Rules

4 CSR 240-10.020	- depreciation fund income
4 CSR 240-30.010(2)(C)	- rate schedules
4 CSR 240-30.040	- Uniform System of Accounts
4 CSR 240-32.030(1)(B)	- exchange boundary maps
4 CSR 240-32.030(1)(C)	- record-keeping
4 CSR 240-32.030(2)	- in-state record-keeping
4 CSR 240-32.050(3)	- local office record-keeping
4 CSR 240-32.050(4)	- telephone directories
4 CSR 240-32.050(5)	- call intercept
4 CSR 240-32.050(6)	- telephone number changes
4 CSR 240-32.070(4)	- public coin telephone
4 CSR 240-33.030	- minimum charges rule
4 CSR 240-33.040(5)	- financing fees

3. That the tariff filed by NewSouth Communications Corp. on December 28, 1999, and assigned Tariff File No. 200000593, is approved as amended to become effective on February 17, 2000. The tariff approved is:

P.S.C. Mo. Tariff No. 1
Original Sheet Nos. 1-26

4. That this order shall become effective on February 17, 2000.

5. That this case shall be closed on February 18, 2000.

BY THE COMMISSION

(S E A L)



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Keith Thornburg, Regulatory Law
Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1)
(November 30, 1995) and Section 386.240,
RSMo 1994.

Dated at Jefferson City, Missouri,
on this 1st day of February, 2000.

FYI: To Be Issued By Delegation

Atty/Sec'y:

Thornburg / Pope

1-31

Date Circulated

2-3

Return by 3:00pm

10am

TH-2000-389
CASE NO.

[Signature]
Lumpe, Chair

[Signature]
Crimpton, Commissioner

[Signature]
Murray, Commissioner

[Signature]
Schenenauer, Commissioner

[Signature]
Drainer, Vice-Chair

STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 1st day of FEBRUARY 2000.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

